

KAZAKHSTAN 2022 INTERNATIONAL RELIGIOUS FREEDOM REPORT

Executive Summary

The constitution defines the country as a secular state and provides for freedom of religion and belief as well as the freedom to decline religious affiliation. The Committee for Religious Affairs (CRA), part of the Ministry of Information and Social Development (MISD), is responsible for religious issues.

Observers said authorities continued to fine, arrest, detain, or imprison individuals on account of their religious beliefs or affiliation; prevent unregistered groups from practicing their faith; restrict assembly for peaceful religious activities; restrict public manifestation of religious belief; restrict religious expression and customs, including the use of religious attire; criminalize speech “inciting religious discord”; restrict proselytism; restrict the publication and distribution of religious literature; and censor religious content. Observers reported the harshest treatment was of Muslims who practice a version of Islam other than the officially recognized Hanafi school of Sunni Islam. According to local and international observers, authorities continued to conduct additional scrutiny of some groups and individuals with religious beliefs and practices the government considered “nontraditional” and impose restrictions on their activities. This included some non-Lutheran Protestant Christian groups. The government also restricted use of buildings for religious ceremonies and purposes. Observers reported that the “notification” procedures established under December 2021 amendments to the Law on Religion simplified the process for holding religious events outside of registered religious buildings but gave government officials the opportunity to deny permission for events, and so continued to function in practice as approval procedures. The government continued to raid religious services and, in some cases, prosecute individuals for “illegal missionary activity.” Some small religious groups reported they had chosen not to attempt registration due to their history of registration denials, their inability to meet the 50-person local registration requirement, or due to fears registration as religious organizations would leave them vulnerable to legal allegations of “psychological harm” against existing or former community members. Some religious minority groups engaged in ongoing legal processes to attempt to prevent local governments from seizing property based on legal rulings from previous years. Some small, registered, non-violent religious groups

faced difficulties in opening bank accounts, possibly due to intentional or accidental inclusion in lists of entities associated with terrorist financing. Other groups, including the Church of Scientology and some Protestant groups, reported improved relations with local government contacts, active government engagement to address cases of religious discrimination by lower-level authorities, and a significant decrease in government-backed, anti-religious propaganda.

In some cases, schools refused to admit girls wearing religious headscarves. Government representatives cited the constitution and a 2016 decree on school uniforms from the Ministry of Education as prohibiting religious clothing in schools. This led to delays in some girls' education, as parents sought religious accommodations. Homeschooling for religious reasons was not permitted by law.

According to observers and members of minority religious groups, media outlets occasionally issued articles or broadcasts defaming minority religious groups they regarded as "nontraditional," including Jehovah's Witnesses. Nongovernmental organizations (NGOs) said members of some religious groups, including Muslims who chose to wear headscarves or other identifying attire, as well as some Christian groups, including evangelical Protestants, Baptists, and Jehovah's Witnesses, continued to face greater societal scrutiny and discrimination.

The U.S. Ambassador and other U.S. embassy officials engaged with the government to urge respect for religious freedom, including by raising specific cases. Embassy representative observed multifaith workshops cosponsored by U.S.-based interfaith NGOs, the MISD, the CRA, and the Association of Religious Organizations of Kazakhstan, which includes many of the Protestant groups deemed "nontraditional" by the government. The embassy also engaged in social media outreach to urge respect for religious freedom.

Section I. Religious Demography

The U.S. government estimates the total population at 19.4 million (midyear 2022). The most recent national census in 2009 reported 96.7 percent of the population identified with a religious faith. While a 2019 CRA study indicates that 92.8 percent of the population self-identify as religious, according to a 2019 study

by the government-affiliated Kazakhstan Institute for Strategic Studies think tank, nonbelievers and atheists constitute 18.7 percent of the population.

As reported in 2009 census data, approximately 70 percent of the population identifying as religious is Muslim, most of whom adhere to the Sunni Hanafi school. Other Muslim groups include Shafi'i Sunni, Shia, Sufi, and Ahmadi. Also, according to 2009 data, Christians constitute 26 percent of the population identifying as religious, the great majority of whom are Russian Orthodox. Other groups that self-identify as Christian include Catholics (Roman and Greek), Lutherans, Presbyterians, Seventh-day Adventists, Methodists, Mennonites, Pentecostals, Baptists, Jehovah's Witnesses, and members of The Church of Jesus Christ of Latter-day Saints, the New Apostolic Church, and the Family Federation for World Peace and Unification (Unification Church). Ethnic Kazakhs and other Central Asian ethnic groups primarily identify as Muslim, and ethnic Russians and Ukrainians primarily identify as Christian.

Other religious groups that together constitute less than 5 percent of the population identifying as religious include Jews, Buddhists, the International Society of Krishna Consciousness, Baha'is, and Scientologists.

Section II. Status of Government Respect for Religious Freedom

Legal Framework

The constitution defines the country as a secular state and provides for freedom of religion and belief as well as the freedom to decline religious affiliation. These rights may be limited only by laws and only to the extent necessary for protection of the constitutional system, public order, human rights and freedoms, and the health and morality of the population. Under the constitution, all persons have the right to follow their religious or other convictions, take part in religious activities, and disseminate their beliefs. These rights, however, are in practice limited to registered religious groups, especially those considered "traditional" to Kazakh society. "Traditional" is not defined by law but typically refers to Hanafi Sunni Islam, the Russian Orthodox Church, Greek and Roman Catholicism, Lutheranism, and Judaism.

The MISD regulates the practice of religion in the country. By law, the MISD is responsible for the formulation and implementation of state policy on religion as well as for facilitating government and civil society engagement. It also considers potential violations of the laws on religious activity and extremism. The MISD drafts legislation and regulations, conducts analysis of religious materials, and makes decisions on censorship. Religious groups are required to submit religious materials for approval before dissemination. The MISD cooperates with law enforcement bodies to ban religious groups and sanction individuals who violate the religion law, coordinates actions of local governments to regulate religious practices, and provides the official interpretation of the religion law.

The counterterrorism law requires religious organizations to secure their buildings of worship against potential terrorist attacks; the government may act against religious organizations for failure to do so. The law states the government shall not interfere with the choice of religious beliefs or affiliation of citizens or residents unless those beliefs are directed against the country's constitutional framework, sovereignty, or territorial integrity.

The criminal and administrative codes include penalties for unauthorized religious activity, which includes the arrangement of, and participation in, activities of unregistered religious groups, participation in religious activities outside registered areas for religious services or areas approved by the government for specific religious events via the official prenotification process, unlicensed distribution of religious materials or training of clergy, sale of religious literature without government approval or in places not approved by the government, and discussion of religion for the purpose of proselytization without the required missionary registration. Criminal penalties for this activity include imprisonment for up to seven years and fines of up to 20,419,000 tenge (\$44,000). For less serious violations, a local prosecutor and judge may impose administrative penalties without further court action. Administrative penalties include detention of up to 30 days and fines of up to 583,400 tenge (\$1,300) for individuals, 875,100 tenge (\$1,900) for officials, and 1,458,500 tenge (\$3,200) for organizations. The law provides a notification system for religious organizations participating in activities outside houses of worship, which functions in practice as an approval system, as it requires specific locations and dates to be approved before religious activities can be conducted.

The criminal code prohibits the “incitement of interreligious discord,” including “propaganda of exclusivity, superiority, or inferiority of citizens according to their relation to religion [and other] origin.” It also criminalizes the creation and leadership of social institutions that proclaim religious intolerance or exclusivity, punishable by imprisonment for three to seven years.

The extremism law, which applies to religious groups and other organizations, accords the government discretion to identify and designate a group as an “extremist organization,” ban a designated group’s activities, and criminalize membership in a banned organization. The law defines “extremism” as commission of acts in pursuit of violent change of the constitutional system; violation of the sovereignty or territorial integrity of the country; undermining of national security; violent seizure or retention of power; armed rebellion; incitement of ethnic, religious, or other forms of social discord accompanied by calls to violence; or the use of any religious practice that causes a security or health risk. An extremist organization is a “legal entity, association of individuals, and (or) legal entities engaged in extremism and recognized by a court as extremist.” The law provides streamlined court procedures for identifying a group as “terrorist or extremist,” permitting a court to render judgement and act on a decision in as few as 72 hours. After a legal finding of a violation, the law authorizes officials to immediately revoke the organization’s registration, thus ending its legal existence, and to seize its property. Prosecutors have the right to annually inspect all groups registered with state bodies for compliance with all applicable laws.

The government maintains a list of 22 foreign groups formally banned as terrorist organizations. Most of the banned organizations follow a form of Islam other than the officially recognized Hanafi school of Sunni Islam. Banned organizations include some internationally recognized terrorist organizations, such as ISIS and the Islamic Movement of Uzbekistan as well as some organizations that are not cited as terrorist organizations by the international community, for example Tabligh Jamaat and Hizb ut-Tahrir. Under the counterterrorism law, the Ministry of Finance may freeze the financial accounts of persons convicted of terrorism or extremism crimes.

The administrative code prohibits “spreading the creed of religious groups [that are] unregistered” in the country, an offense punishable by a fine of 252,500 tenge (\$550). A foreigner or stateless person found guilty may also be deported.

A religious organization may be designated “national,” “regional,” or “local.” To register at the local level, an organization must submit an application to the Ministry of Justice that lists the names and addresses of at least 50 founding members. Religious organizations may be active only within the geographic limits of the locality in which they register unless they have enough members to register at the regional or national level. Regional registration requires at least two local organizations, each located within a different province, and a combined membership of at least 500 persons. National registration requires at least 5,000 total members and at least 300 members in each of the country’s 17 regions and the cities of Astana, Almaty, and Shymkent. Only groups registered at the national or regional level have the right to open educational institutions for training clergy.

The law allows the government to deny registration to a religious group based on an insufficient number of adherents or on inconsistencies between the religious group’s charter and any national law, as determined by an analysis conducted by the CRA. According to the administrative code, individuals participating in leading or financing an unregistered, suspended, or banned religious group may be fined between 126,250 tenge and 505,000 tenge (\$270 and \$1,100).

The administrative code mandates a 505,000-tenge (\$1,100) fine and a three-month suspension from conducting any religious activities for registered groups for holding religious gatherings in buildings not approved for that purpose; importing, producing, or disseminating religious materials not approved by the CRA; systematically pursuing activities that contradict the charter and bylaws of the group as registered; constructing religious facilities without a permit; holding gatherings or conducting charity events in violation of the law; or otherwise defying the constitution or laws. Private persons engaged in these activities are subject to a fine of 126,250 tenge (\$270). Police may impose these fines without first going to court. Those fined may appeal their penalties to a court.

If an organization, its leaders, or its members engage in activities not specified in its charter, the organization is subject to a warning, a fine of 252,500 tenge

(\$550), or both. Under the administrative code, if the organization commits the same violation within a year, the legal entity is subject to a fine of 378,750 tenge (\$820) and a three- to six-month suspension of activities.

According to the administrative code, if a religious organization engages in a prohibited activity or does not rectify violations resulting in a suspension, an official or the organization's leader is subject to a fine of 505,000 tenge (\$1,100); the entity is also subject to a fine of 1,262,500 tenge (\$2,700), and its activities are banned indefinitely.

The law authorizes local authorities to "consider" and in practice to refuse locations proposed for holding religious events that are outside religious buildings. By law, religious activities may be held in residences, provided that organizers take into account the "rights and interests of neighbors." Authorities sometimes interpret this as a requirement to receive permission from the neighbors.

The government prohibits individuals who do not pay their fines, including those who do not pay their fines for violating religious laws, from traveling outside the country.

The law prohibits efforts to force a person to convert to any religion or to force a person's participation in a religious group's activities or in religious rites. The law further bans activities of religious organizations that involve violence against citizens or otherwise harm the health or morality of citizens and residents, force them to end marriages or family relations, or violate human rights and freedoms. The law also bans activities which force citizens to evade the performance of "duties specified in the constitution and legislation," but the definition of these duties is subject to broad interpretation by the government. The law prohibits methods of proselytizing that exploit a potential convert's dependence on charity. The law also prohibits blackmail, violence or the threat of violence, or the use of material threats to coerce participation in religious activities.

The law states that in cases when a prisoner requests a clergy member to perform a religious rite, he or she may invite a clergy member of a formally registered religious group to a detention facility, as long as this access complies with the prison's internal regulations. The law bans construction of places of worship

within prison territory. Pursuant to the law, registered religious organizations may participate in monitoring prisons, including creating and implementing programs to improve the correctional system and developing and publicly discussing draft laws and regulations as they relate to the prison system. Religious groups may identify, provide, distribute, and monitor the use of humanitarian, social, legal, and charitable assistance to prisoners. They may provide other forms of assistance to penitentiary system bodies as long as they do not contradict the law. According to the law, prisoners may possess religious literature, but only if it is approved following an analysis conducted by a CRA religious “expert.” The law does not define the qualifications needed to be a religious expert.

The law defines “religious tourism” as a “type of tourism where persons travel for performance of religious rites in a country (place) of temporary residence” and requires the MISD to regulate it. Together with the Sunni Hanafi Spiritual Administration of Muslims (SAMK), a government-organized religious NGO headed by the Grand Mufti of Almaty and including CRA officials, the MISD oversees the process by which individuals participate in the Hajj or in other travel for the performance of religious rites. The government requires that specially selected guides and imams accompany each group and states the rules are designed to ensure pilgrims are not recruited by extremist religious groups.

The law prohibits religious ceremonies in government buildings, including those belonging to the military or law enforcement bodies.

All production, publication, and dissemination of religious literature and information materials of religious content are allowed only after receiving a positive expert opinion from the CRA. The law allows one copy of published religious materials to be imported for personal use without CRA review.

The law states the government shall not interfere with the rights of parents to raise their children consistent with their religious convictions, unless a court or relevant government official determines that such an upbringing harms the child’s health or infringes upon the child’s rights.

The law requires organizations to “take steps to prevent involvement or participation of anyone under the age of 18 in the activities of a religious

association” if a parent or other legal guardian objects. The law bans religious activities, including proselytizing, in children’s vacation, sport, creative, or other leisure organizations, camps, or sanatoria. The extent to which organizations must prevent underage persons’ involvement in religious activity is not specifically outlined and has not been further defined by authorities.

The law prohibits religious instruction in public schools, colleges, or universities. Homeschooling for religious reasons is also prohibited. The law allows afterschool and other supplemental religious instruction only if a registered religious group provides it. A decree mandates that schoolchildren wear school uniforms that comply with the secular nature of education and prohibits inclusion of any elements that could indicate religious affiliation, which the government generally interprets to include any religiously affiliated head coverings.

The election law prohibits political parties based on religious affiliation.

The criminal code prohibits creating, leading, or actively participating in a religious or public association whose activities involve committing acts of “violence against citizens or the causing of other harm to their health or the incitement of citizens to refuse to carry out their civil obligations as well as the creation or leadership of parties on a religious basis.” The code punishes such acts with a fine of up to 15.2 million tenge (\$33,900) or up to six years’ imprisonment.

To perform missionary or other religious activity in the country, a foreigner must obtain a missionary or religious visa. These visas allow a person to stay for a maximum of six months, with the possibility to apply to extend the stay for another six months. To obtain missionary visas, applicants must be invited by a religious group formally registered in the country. The CRA must approve the letter of invitation. Applicants must obtain consent from the CRA each time they apply. The CRA may reject missionary visa applications based on a negative assessment from CRA religious experts, or if it deems the missionaries represent a danger to the country’s constitutional framework, citizens’ rights and freedoms, or any person’s health or morals. The constitution requires foreign religious groups to conduct their activities, including appointing the heads of local congregations, “in coordination with appropriate state institutions,” notably the CRA and the Ministry of Foreign Affairs. Foreigners may not register religious groups.

Local and foreign missionaries are required to register annually with the local executive body of a region or of the cities of Astana, Almaty, and Shymkent and provide information on their religious affiliation, intended territory of missionary work, and intended timeframe for conducting that work. Missionaries must submit all literature and other materials intended to support their missionary work, together with their registration application. Use of materials not vetted during the registration process is illegal. A missionary must produce registration documents and a power of attorney from the sponsoring religious organization to work on its behalf. The local executive body of a region or the cities of Astana, Almaty, and Shymkent may refuse to register missionaries if those executive bodies deem the missionaries' work to "constitute a threat to the constitutional order, social order, the rights and freedoms of individuals, or the health and morals of the population."

The law does not provide for conscientious objection to mandatory military service on religious grounds, but clergy from recognized religious organizations, including Jehovah's Witnesses, may be exempted from service.

The country is a party to the International Covenant on Civil and Political Rights.

Government Practices

According to the international religious freedom NGO Forum 18, there were 10 Sunni Muslims serving sentences connected to their religious activities or beliefs as of September, 14 fewer than at the end of 2021. This included five individuals whom the UN Working Group on Arbitrary Detention had called on the government to release immediately and compensate for their imprisonment. Two other individuals were serving "restricted freedom" sentences that consisted of probation plus compulsory community service, and in some cases, court-imposed restrictions on their freedom of movement. Four individuals (all of them Sunni Muslim men) were freed early from prison and were serving the remainder of their sentences at home under restrictions. Eight individuals who had completed their prison terms remained banned from religious activities.

According to Forum 18, Sunni Muslim Dadash Mazhenov, whom courts resentenced to eight years' imprisonment in 2020 for sharing religious talks in 2018 on his social media page, "was tortured" by being held in prolonged solitary

confinement. Forum 18 also reported Mazhenov had been physically tortured, including in a January beating with truncheons, which broke his jaw. Reports further stated that Sunni Muslim Imam Abdukhalil Abduzhabbarov, whom courts convicted in 2017 and sentenced to eight years' imprisonment for inciting religious discord, faced torture by being held in prolonged solitary confinement. The family of imprisoned Suni Muslim Galymzhan Abilkairov, whom authorities sentenced to more than seven years in prison in 2018 for posting religious talks on his social media page, reported that prison officials did not allow him to have a copy of the Quran.

Forum 18 reported that an Atyrau court sentenced two alleged members of the banned Tabligh Jamaat group to one-year terms of restricted freedom in March, bringing to 75 the total number of alleged group members sentenced to prison or restricted freedom since 2015. Police reportedly raided the two men's homes and seized 150 religious books, which the court ordered destroyed.

On June 20, a court in Turkestan Region sentenced Muslim Anatoli Zernichenko to seven years in a medium-security labor camp for posting Muslim texts on social media that allegedly promoted terrorism. Human rights defenders protested the use of opinions written by government-appointed "experts" of unclear qualifications as the sole basis for his conviction. There was no review by independent experts. Zernichenko's wife asserted he had posted the pages on private accounts in order to study while traveling.

On July 5, airport police in Shymkent confiscated from a Turkistan resident 222 religious materials he was attempting to bring to the country from Egypt. In August, a Shymkent court fined the resident 153,450 tenge (\$330) for importing unapproved religious materials.

A small group of individuals continued their daily protests in front of the Consulate of the People's Republic of China (PRC) in Almaty to demand information regarding their Muslim, ethnic-Kazakh family members in the PRC. Several protesters were arrested, some repeatedly, and fined, including in advance of PRC President Xi Jinping's September 14 visit to the country and again on November 7. The daily protests and police response, including occasional fines and detentions of participants, continued in Almaty at year's end.

Civil society representatives reported that as of September, 35 individuals who had completed their prison terms or restricted-freedom sentences continued to experience restrictions on access to their bank accounts. According to Forum 18, the government typically added persons who had been convicted on terrorism or extremism charges to the Ministry of Finance's list of individuals "connected with the financing of terrorism or extremism," thereby freezing their bank accounts. Families often discovered accounts were blocked only after going to the bank. Forum 18 reported that relatives were allowed to withdraw small amounts if they did not have other sources of income.

As of December, the government had granted new one-year extensions to two ethnic-Kazakh asylum seekers from China and one- to three-month extensions to two more while they awaited one-year renewals. The four individuals had received asylum status in the country in October 2020 on the grounds of credible fear of persecution for their Muslim beliefs if they returned to China. The government renewed the one-year asylum status of the four in October 2021. In January 2021, unidentified persons attacked two of the individuals nearly simultaneously in the cities of Astana (known at that time as Nur-Sultan) and Almaty. As of year's end, authorities had not identified any suspects in the case.

Civil society observers and defense lawyers reported that "expert" opinions used to convict individuals who had not committed or advocated violence were often of questionable quality and that judges did not consistently allow these "experts" to be questioned about their analyses during trials.

Some Muslims reported that the government employed illegal monitoring and disciplinary practices against persons it apparently deemed suspicious – for example, summoning military-age men to military recruitment offices in order to search their personal phones for non-government-approved religious material without presenting appropriate legal authorization. Individual believers reported police sometimes demanded immediate, in-person payment of fines without presenting appropriate documentation – for example, fines for posting social media likes or comments in response to religious video messages that were not approved by the government.

Jehovah's Witnesses reported that between September 2021 and August 2022, 43 of their members faced difficulties in obtaining statutory exemptions to military

service that were legally available to them as religious ministers. In five cases, enlistment offices detained individuals overnight who were seeking exemptions to military service as religious ministers.

The government did not approve the registration of Muslim groups apart from those observing the Sunni Hanafi school, which the SAMK oversaw. All other schools of Islam remained unregistered and were officially unable to practice in the country, although NGOs reported some non-Hanafi Muslim communities continued to worship informally without government interference.

The MISD and the SAMK maintained an official agreement on cooperation, and NGOs stated this agreement led to the government effectively exercising control over the nominally independent SAMK. By joining the SAMK, Muslim communities relinquished the right to appoint their own imams, subjected themselves to SAMK approval regarding any property actions (such as sales, transfers, or improvements), and were required to pay 30 percent of their mosque's income to the SAMK. The SAMK also set the curriculum for religious education across the country and provided guidelines and sample texts for sermons during Friday prayers.

The SAMK continued to oversee the opening of new and restored mosques. According to the CRA, there were 2,744 mosques in the country, 61 more than were reported in 2021, but the government and news media continued to report varying and sometimes inconsistent statistics on the number of mosques nationwide. On August 12, First President Nursultan Nazarbayev opened a new main mosque in Astana, the largest in Central Asia.

The SAMK continued to control the activities of all formally registered Muslim groups affiliated with the Sunni Hanafi school and had authority over appointment of imams as well as over the administration of qualification examinations and background checks for aspiring imams. The MISD continued to work closely with the SAMK on the training of imams, upgrading madrassahs to the status of degree-granting colleges, and controlling Hajj pilgrimages. The SAMK permitted imams to enroll in baccalaureate, masters, or doctoral programs offered at Nur Mubarak University's Islamic Studies and Religious Studies departments based on their prior education levels. In addition, there were 11

Sunni Hanafi religious training centers and one each for Roman Catholic and Russian Orthodox clergy.

The Ahmadiyya Muslim Community did not attempt to register during the year; the group had attempted to register with authorities at least six times since 2011 and was last rejected in 2016. Government experts continued to justify their conclusion that the community's teachings were not Islamic and that it must remove the word "Muslim" from its registration materials. Human rights defenders criticized this reasoning as inappropriate for a secular government. Some community members reported that since they were not registered, they did not engage in any religious activity.

While some minority religious groups maintained their status as legally registered entities, local and international observers reported that authorities continued to impose restrictions on, and conduct additional scrutiny of, many groups the government considered "nontraditional." This included Muslims who practiced a version of Islam other than the officially recognized Hanafi school of Sunni Islam, and some Protestant Christian groups. Observers reported local governments had intimidated members of some small religious organizations into retracting their claims to membership, thereby reducing the number of members below the required threshold for official registration.

Expert NGOs confirmed that the Council of Baptist Churches continued to refuse on principle to register under the law, in keeping with its policy of maintaining a distance from the government, and that authorities continued to surveil them as in prior years.

The Church of Scientology continued to function as a registered public association rather than as a religious organization. The government allowed the church, as a public association, to maintain resource centers/libraries where members could read or borrow books and host discussions or meetings, but it did not allow the church to engage in public activity the government considered religious in nature, such as conducting services. Members reported a reluctance to try to register as a religious organization under the amended 2021 Law on Religion, as the law's broader definition of which experts could be employed to examine religious cases could leave organizations more vulnerable to accusations of psychological harm to current or former community members.

According to the CRA, as of the third quarter of the year, there were 371 missionaries officially registered in the country. Of those, 296 were foreign nationals and 75 citizens. Of the officially registered missionaries, more than 90 percent were members of Christian religious organizations; the remainder included members of the Society of Krishna Consciousness and Jewish and Buddhist religious organizations.

Religious freedom observers reported that new, 10-day notification procedures for scheduling religious events introduced in December 2021, allowed for greater freedom of religious practice than the procedures they replaced but were still onerous and functioned in practice as approval procedures, since a positive response was needed from the government before an event could be held. Some small registered religious communities reported fewer obstacles to holding events in locations outside registered religious buildings after the new procedures were adopted. In some cases, local government officials met with members of, and permitted events to be held by, small religious groups that were previously fined for holding religious meetings or prevented from holding them at all.

Religious freedom observers reported that in other cases, authorities continued to use the religion law to harass and restrict minority religious groups with fines and limitations on their activities. Forum 18 reported 130 administrative prosecutions for violations of the religion law in 2021, similar to the reported number of 134 administrative prosecutions in 2020. Violations included attending worship meetings not approved by the state; offering, importing, or selling religious literature and pictures; sharing or teaching faith; posting religious material online; and violating procedures for praying in mosques.

Nongovernment observers reported that Muslim communities that did not wish to register with the SAMK for reasons including differences of belief, sometimes continued to worship informally but generally avoided public attention for fear of provoking government interference up to and including imprisonment and torture.

Jehovah's Witnesses reported that between September 2021 and August 2022, 25 members of their community received warnings for alleged "illegal missionary activity" and were pressured to discontinue sending letters or making phone calls as part of their evangelizing work, compared with 63 detentions, warnings, and

court cases reported in 2020. On October 20, the Almaty City Court upheld the conviction of a member of the Jehovah's Witnesses for engaging in illegal "missionary activity." Jehovah's Witnesses asserted the conviction was based on a personal letter and ignored precedent set by the Supreme Court that Jehovah's Witnesses who had shared peaceful personal religious beliefs, including through personal letters, were not engaged in "missionary activities."

Jehovah's Witnesses reported authorities, citing a failure to observe 10-day notification procedures and in some cases threatening the owners of venues with legal consequences for renting premises to the community, disrupted religious services on four occasions. Authorities ordered one Jehovah's Witness to discontinue religious services on his property on the grounds that it was not registered as a religious building.

The international Christian NGO Open Doors continued to cite the country on its World Watch List for the government's control over religious expression, including surveillance, raids on church meetings, and arrests. The NGO said Christians from a Muslim background bore the worst persecution, much of it from the community rather than from authorities.

New Life Church representatives reported authorities were still seeking to sell the former residence of one of three New Life pastors, convicted in 2019 for using what the government said was hypnotism and psychological manipulation to defraud parishioners, in order to pay 26 million tenge (\$56,200) in damages awarded in the earlier court decision. Authorities annulled the seizure of five other real estate properties connected with 2019 legal proceedings against the organization.

Representatives of some religious organizations reported improved relations with government authorities in comparison to previous years, with fewer instances of harassment and more invitations for direct meetings with government authorities. In March and September, government officials participated alongside Christian and Muslim faith leaders in events to promote religious tolerance and provide skills for building partnerships across religious lines, organized in collaboration with domestic and international nonprofit organizations. Participants reported positive engagement with government representatives attending these events.

During the year, the Talgar Association of the New Life Church reported all local banks had refused without explanation to open accounts for the organization. The church was unable to pay taxes, and as a result, it was forced to suspend staff salaries and cease operations. The issue remained unresolved as of end of year.

Some local associations of Jehovah's Witnesses reported that banks, citing the Law on Combating Legalization (Laundering) of Proceeds from Crime and Financing of Terrorism, did not reopen their accounts after closing them in November 2021. The government informed the group that the associations had been included in the list of high-risk entities for second-tier banks but were removed from the list in September 2022, which Jehovah's Witnesses hoped would facilitate resolution of banking service denials. The group considered this to be a case of discrimination on basis of religion, noting many of the entities affected had not made banking transactions at the time they were added to the list. Earlier cases in which banks refused services to legal entities of Jehovah's Witnesses in Almaty and Shymkent remained unresolved.

Jehovah's Witnesses reported ongoing problems with civil lawsuits alleging congregants had suffered "psychological harm" as a result of their participation in the organization. Forum 18 and other observers condemned the use of expert testimony plagiarized from cases that were used to ban the activities of Jehovah's Witnesses in Russia as well as the use of expert testimony critical of several religious publications that the CRA previously had approved for import and distribution. On April 4, the Supreme Court refused the Jehovah's Witnesses' appeal of an October 2021 ruling by the Taraz City Court awarding two million tenge (\$4,300) to a married couple who sued the group for causing mental harm. On June 20, a court in Nur-Sultan (now Astana) ruled partially in favor of a mother and son who made similar claims of mental harm. An appeals court upheld the decision on August 23.

On July 11, a former member of New Life Church in Pavlodar Region filed a legal suit against the church, seeking compensation for his volunteer work at a rehabilitation center for alcoholics and drug addicts on the property of Pastor Vyacheslav Shipachev in Aksu. Church members and observers alleged state security services urged the member to file the suit. Observers also objected to the involvement of the organization Center to Support Victims of Destructive Religious Sects (CSVDRS) in the case against the church. CSVDRS received

government grants in support of its work and published articles that some religious observers describe as antireligious. Government officials denied involvement in the case.

Some organizations reported partial success in legal cases related to defamatory media coverage. New Life Church representatives reported they had been awarded damages in a court case related to defamatory Instagram posts and media articles about their organization in Pavlodar Region. Jehovah's Witnesses reported a court in Kostanay Region issued a written apology to a group member for causing him moral harm due to unlawful administrative charges against him and required media outlets to correct false reports of his conviction for "conducting an illegal religious meeting without obtaining consent from local authorities" and for "illegal missionary activity."

In November, an administrative court in Petropavlovsk fined journalist and city deputy Rufiya Mustafina 153,150 tenge (\$330) for publishing an interview with the local chief imam on traditions surrounding the Kurban Ait holiday. Mustafina reported that a specialist from the CRA had given testimony to the court that distribution of the material was legal and that the article had been reposted by local government officials. Mustafina reported in December that the Petropavlovsk court of appeals had cancelled the fine.

The government continued to ban import of 10 religious publications of Jehovah's Witnesses, despite views published by the UN Human Rights Committee in March 2021 that the publications should be allowed and the authors compensated. The issue was initially submitted to the United Nations in 2015 by three alleged victims, including Polat Bekzhan, a national of Kazakhstan, who argued that the government had violated the rights of all 17,500 Jehovah's Witnesses in the country by banning import of the publications.

The government maintained its policy of banning religious attire in schools, although observers reported this policy was not consistently enforced and in practice, some school administrations allowed girls to study in headscarves or to wear hoods as a compromise. In September, a group established by parents and supporters recorded 264 cases of girls in headscarves who were not allowed to enter schools that month due to their headscarves. The disputes led an unknown number of girls to fall weeks or months behind official curricula, as schools did not

provide homeschooling or other educational accommodations for girls not admitted to schools.

Local media reported that parents and supporters continued to seek official approval for religious accommodations, such as wearing hoods, or homeschooling. Local activists also held meetings with the Human rights ombudsperson in 2022, Elvira Azimova, and the then foreign minister, Muktar Tileuberdi, and other government representatives to appeal for the right of families to send girls to school in headscarves, arguing that refusal to do so constituted discrimination on religious grounds. Local activists further argued that lack of accommodation for girls in headscarves violated the country's obligations under the International Convention against Discrimination in Education as well as its constitutional obligation to provide free secondary education to its citizens. Local media outlets published several official responses from government officials reasserting that wearing headscarves violated the law.

Jehovah's Witnesses reported two cases in which school authorities harassed schoolchildren for declining to participate in patriotic ceremonies due to their religious convictions. School authorities subsequently apologized to the families, in one case following an intervention from the Ministry of Education.

The Church of Scientology reported that during the year, unlike in previous years, its members did not experience government harassment. The church further reported that government officials removed members of the Scientologist community from a list of individuals who had purportedly funded extremism, and in one instance they reversed a decision by lower-level authorities to seize materials from a Scientologist center.

According to the Penitentiary Committee of the Ministry of Internal Affairs, all prisons continued to have dedicated specialists charged with creating programs to counter religious extremism, in accordance with a 2017 order issued by the Minister of Internal Affairs as part of a national counterterrorism program. Lawyers familiar with the program said most of the specialists lacked education or specialized training.

Civil society representatives reported prisoners and detainees were not always provided access to state-approved religious literature or allowed to pray in

accordance with their belief systems, even when their religious practices did not otherwise interfere with prison routines.

On January 10, during a televised, online summit of the Collective Security Treaty Organization, President Kassym-Jomart Tokayev attributed nationwide unrest on January 5-8 to a group of “religious radicals, criminal elements, notorious bandits, marauders and petty hooligans.” Various media outlets subsequently attributed the January events at least in part to “religious radicals” and “terrorists.” The government did not subsequently present evidence that religious extremists or terrorists bore responsibility for the events.

High-level government officials continued to voice support for interethnic and interreligious harmony. For example, in a publicized November 4 speech to members of the diplomatic corps, President Tokayev stated, “We are focused on enhancing the role of civil society, strengthening interethnic, interreligious trust and tolerance, consolidating various social forces, and implementing the principle of a ‘listening state.’”

On September 14-15, at the triennial meeting of the Congress of the Leaders of World and Traditional Religions held in the country, President Tokayev specifically named “traditional religions” as the “main custodians ... of humanistic ideals.”

On November 8, President Tokayev stated that the country “is a secular state.... However, being a secular and tolerant country does not mean turning a blind eye to various radical movements and religious separatism.” He further stated that “the values of Islam contribute to strengthening the unity of the nation. Our duty is to protect and honor the traditions of our ancestors.”

As of December, minority religious groups reported local offices of the Committee on Religious Affairs had removed a significant amount of content the groups deemed antireligious from official government websites.

Section III. Status of Societal Respect for Religious Freedom

Observers and members of minority Christian religious communities continued to express concerns regarding negative articles and broadcasts about minority

religious groups that private and government-run media described as “nontraditional.”

Jehovah’s Witnesses continued to report the appearance of defamatory articles in private and government-run media outlets during the year. Other groups reported fewer instances of negative media coverage than in some previous years.

NGOs continued to report individuals were wary of “nontraditional” religious groups, particularly those that proselytized or whose dress or grooming, including the use of Islamic headscarves and beards, suggested “nontraditional” beliefs.

According to Open Doors, Christians who converted from Islam experienced the most intense persecution for their religious beliefs. The organization’s reports indicated that in some instances, persecution included converts’ families locking them up for long periods of time, communities expelling them, or local imams preaching against them.

The Association of Religious Organizations of Kazakhstan, which includes many of the Protestant groups deemed “nontraditional” by the government, represented those minority religious groups’ concerns to the government and provided a forum for consultations among the groups.

Section IV. U.S. Government Policy and Engagement

The Ambassador, other embassy officers, and senior U.S. government officials met with senior government officials in the Ministry of Foreign Affairs, MISD, and CRA and the Presidential Administration to urge respect for religious freedom, both in general and regarding specific cases. They discussed practical effects of the country’s laws regulating religious practice that were adopted in December 2021 and their restrictive effects on religious freedom, especially concerning criminal penalties for peaceful religious speech and praying without registration and censorship of religious literature. U.S. officials also raised concerns about the government’s inconsistent application of the religion law and the criminal and administrative codes, depending on whether the government considered a religious group to be nontraditional or traditional.

In bilateral meetings, U.S. officials continued to encourage the government to respect individuals' rights to peaceful expression of religious belief and free practice of religion. U.S. officials continued to express concern about vaguely written laws related to "extremism" and other religious freedom issues that were broad in scope and lacked specific definition of legal terms that enabled authorities, particularly at the local level, to apply them in an arbitrary manner. They encouraged the government to eliminate burdensome registration requirements for religious communities and to take other steps to further amend the religion law to enhance the ability of believers to practice their faith. U.S. officials encouraged fair and equal treatment for faith organizations in land disputes with the government. At the request of the organizers, in September, a U.S. diplomatic representative observed a multifaith workshop cosponsored by the MISD, the CRA, U.S.-based interfaith NGOs, and the Associations of Religious Organizations of Kazakhstan to show U.S. interest in and support for religious tolerance. On social media, the embassy engaged in outreach to urge respect for religious freedom.

Embassy officials continued outreach to, and maintained contact with, a wide range of religious communities, their leaders, and religious freedom advocates. They underscored the importance that freedom of religion plays in countering violent extremism, expressed concern about further government restrictions on religious freedom, and encouraged reform of relevant laws and guidelines so all citizens could conduct peaceful religious activities freely, whether or not they were part of a registered religious group.